

CHAPTER NO. 870

HOUSE BILL NO. 2773

By Representatives Buck, McMillan

Substituted for: Senate Bill No. 2804

By Senators Rochelle, Cooper

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 21 and Title 47, Chapter 9, relative to fees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-21-1001, is amended by deleting subsections (b), (c), (d), (e), (f) and (g) and by substituting instead the following language to be designated as subsections (b), (c) and (d):

(b) Except for instruments filed under the Uniform Commercial Code, Title 47, Chapters 1 through 9, the register of each county of this State is entitled to demand and receive for such register's services a fee of two dollars (\$2.00) for each instrument recorded or filed in such register's office.

(c) The fees collected pursuant to subsection (b) and the fees collected by the register as a result of the increase in fees for the filing or recording of Uniform Commercial Code instruments from ten dollars (\$10.00) to twelve dollars (\$12.00) for each such fee charged pursuant to Title 47, Chapter 9, Part 4, shall be allocated by such register's county for the purchase of computer equipment and software, upgrades to computer equipment and software, and supplies, maintenance and services relating to computer equipment and software, for use in the register's office; provided, however, that the expenditure of these additional fees shall not be earmarked in any county that on the effective date of this act was authorized under prior law to charge an additional recording fee of one dollar (\$1.00) or two dollars (\$2.00) for each instrument filed or recorded in the register's office that was not earmarked for a particular purpose.

(d) All private act provisions authorizing registration or recording fees to be charged by the county register in amounts additional to those authorized by general law are superseded.

(e) The county register shall not be entitled to demand and receive any fees for notices of liens for overdue child or spousal support or releases of same entered into a computer system with a terminal in the county register's office by the Department of Human Services pursuant to subdivision (b)(3) of Section 36-5-901.

SECTION 2. Tennessee Code Annotated, Title 47, Chapter 9, Part 4, is amended by deleting the language, figures and symbols "ten dollars (\$10.00)" wherever such language appears and substituting instead the language, figures and symbols "twelve dollars (\$12.00)", and by deleting the following language wherever it appears:

" , if filed with a register's office in a county with a population of not less than sixty-seven thousand three hundred (67,300) nor more than sixty-seven thousand four hundred (67,400) according to the 1980 Federal Census or any subsequent Federal Census,"

SECTION 3. Title 47, Chapter 9, Part 4, is further amended by deleting the language "first two (2) pages" wherever such language appears in said part and substituting instead the language "first ten (10) pages".

SECTION 4. Tennessee Code Annotated, Section 8-21-106, is amended by adding the following:

Fees established for transactions under the Uniform Commercial Code, Title 47, Chapters 1-9, shall be exclusively those fees established therein.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect July 1, 1998, the public welfare requiring it.

PASSED: April 16, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this day of 1998

DON SUNDQUIST, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had House Bill No. 2773 in his possession longer than ten (10) days, so therefore the bill becomes law without the Governor's signature.